

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

UNITED STATES OF AMERICA,

v.

CRIMINAL ACTION FILE
NO. 4:17-CR-025-01-HLM-WEJ

EDUARDO L. RAMOS-ESCOBAR.

ORDER

This case is before the Court on the Report and Recommendation on Plea of Guilty issued by United States Magistrate Judge Walter E. Johnson [6].

On July 17, 2017, the United States Attorney issued an Information against Defendant. (Information (Docket Entry No. 1).)

The Information charged that:

Beginning on or about July 23, 2016 until and including July 24, 2016, [Defendant], did knowingly receive at least one visual depiction of a minor engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), said depictions having been (a) produced using minors engaging in sexually explicit conduct, and (b) shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer and cellular telephone, all

in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

(Id. at 1.) The Information also contained a forfeiture provision. (Id. at 2-3.)

On July 17, 2017, Defendant waived indictment. (Waiver of Indictment (Docket Entry No. 2).) On that same day, Defendant filed a Consent to Tender Plea Before U.S. Magistrate Judge. (Consent to Tender Plea (Docket Entry No. 3).) Defendant then entered a plea of guilty before Judge Johnson to the charge contained in the Information. (Minute Entry (Docket Entry No. 4); Plea Agreement (Docket Entry No. 5).)

On July 17, 2017, Judge Johnson issued his Report and Recommendation. (Report & Recommendation (Docket Entry No. 6).) Judge Johnson's Report and Recommendation states, in relevant part:

The defendant, EDUARDO RAMOS-ESCOBAR, by consent, has appeared before me and entered a plea of guilty to the Indictment. After cautioning and examining the defendant under oath concerning each of the

subjects mentioned in Fed. R. Crim. Pro. 11, I have determined that the guilty plea was knowing and voluntary, and that the offense charged is supported by an independent basis in fact establishing each of the essential elements of such offense. I, therefore, **RECOMMEND** that the plea of guilty be accepted and that the defendant be adjudged guilty and have sentence imposed accordingly.

(Id. at 1.)

As of the date of this Order, neither Defendant nor the Government has filed an Objection to the Report and Recommendation. The time period for filing Objections has expired, and the Court therefore finds that this matter is ripe for resolution.

Based on the Court's review of the Report and Recommendation and the record in the case, the Court finds that Defendant's plea of guilty was knowingly and voluntarily made, and that Defendant's plea to the offense charged was supported by an independent basis in fact establishing each of the essential elements of that offense. Pursuant to Rule 11 of the Federal Rules

of Civil Procedure, the Court **ADOPTS** the Report and Recommendation [6] and makes it the Order of this Court. Defendant's plea of guilty to the Information is hereby accepted, and Defendant is hereby adjudged guilty of said offense.

IT IS SO ORDERED, this the 7th day of August, 2017.



SENIOR UNITED STATES DISTRICT JUDGE